

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>MAK MILER,</b>	)	<b>CASE NO. 1:21-CV-1451</b>
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>JUDGE: POLSTER</b>
	)	
<b>UNIVERSITY HOSPITALS, ET AL.</b>	)	<b>PLAINTIFF’S MOTION TO DISMIS</b>
<b>Defendant.</b>	)	<b>COUNT THREE WITHOUT</b>
	)	<b>PREJUDICE</b>

Now comes Plaintiff, Mark Miller (“Plaintiff” or “Mr. Miller”), by and through the undersigned counsel who hereby pursuant to Federal Rule of Civil Procedure 41(a)(2), moves this Court to dismiss Count Three of Plaintiff’s Complaint (State law Disability discrimination claims) without prejudice.

Respectfully Submitted,

/s/ John F. Burke, III

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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I certify that on this 13th day of September 2021 a copy of the foregoing was served via the Court’s Electronic Service system on all counsel of record.

/s/ John F. Burke, III

JOHN F. BURKE,